

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0638MH-40982-US

In re Application of:

GREGORY G. KUELBS

Serial No. 10/650,537

Filed: 28 AUGUST 2003

For: **UMBRELLA APPARATUS**

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Examiner: **SAWHNEY, HARGOBIND S.**

Art Unit: 2875

TRANSMITTAL

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please file the following enclosed documents in the subject application:

1. This Transmittal with Certificate of Mailing;
2. Information Disclosure Statement, Form PTO/SB/08A, Form PTO/SB/08B; and Foreign Language Copy of JP-9-168415;
3. A check in the amount of \$180.00 to cover the Submission of an Information Disclosure Statement Fee
4. Our return postcard which we would appreciate you date stamping and returning to us.

The PTO did not receive the following

Item(s) \$ 180.00 but \$ 139.00

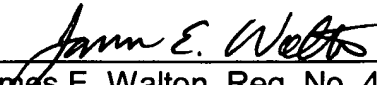
CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)	
Date of Deposit:	<u>1/9/06</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. § 1.8(a) on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.	
By:	<u><i>James E. Wells</i></u>

Submitted herewith is a check in the amount of \$180.00 to cover the Submission of an Information Disclosure Statement Fee. No additional fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any fees that may be necessary, or credit any overpayments, to Deposit Account No. **502806**.

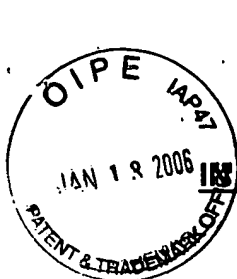
Respectfully submitted,

Date

1/9/06


James E. Walton, Reg. No. 47,245
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ATTORNEY FOR APPLICANT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **0638MH-40982-US**

In re Application of:

GREGORY G. KUELBS

Serial No. **10/650,537**

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Examiner: **SAWHNEY, HARGOBIND S.**

Art Unit: **2875**

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. §1.56 and under 37 CFR 1.97(c)(1) and 37 CFR 1.97(c)(2), the references listed on the attached forms PTO/SB/08A and PTO/SB/08B (substitutes for form 1449/PTO) are being brought to the attention of the Examiner for consideration in the subject application.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)
Date of Deposit: <u>1/9/06</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. §1.8(a) on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
By: <u><i>James E. Walth</i></u>

Each of U.S. Patent Application Serial No. 11/199956, U.S. Patent Application Serial No. 10/829790, and U.S. Patent Application Serial No. 10/829790, papers related to U.S. Patent Reexamination Control No. 95/000,104 contain technical disclosure in common with the subject application.

The following foreign-language document is being brought to the attention of the Examiner:

- JP-9-168415

Applicant submits herewith a copy of the Japanese patent publication JP-9-168415 in a language other than English. This reference was first brought to Applicant's attention upon the receipt of a "COMMENTS OF THIRD PARTY REQUESTER TO PATENT OWNER'S RESPONSE IN *INTER PARTIES* REEXAMINATION AND TO OFFICE ACTION" correspondence received on 20 December 2005 and related to Inter Parties Reexamination Control Number 95/000,104 of U.S. Patent No. 6,612,713.

The filing of this Information Disclosure Statement shall not be construed to be a representation that a search has been conducted, nor shall it be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

It is respectfully requested that the Examiner return a copy of each attached form PTO/SB/08A and PTO/SB/08B with initials or other appropriate marks indicating consideration of the cited materials.

Certification Under 37 C.F.R. §1.97(e):

The information on form PTO/SB/08A is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office action on the merits, but before the mailing of a final action or the notice of allowance. Accordingly, the undersigned hereby certifies that no item of information contained in information disclosure statement form PTO/SB/08A was, after making reasonable inquiry, no item of information contained in information disclosure statement form PTO/SB/08A

was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

Payment of the Fee Under 37 CFR 1.17(p):

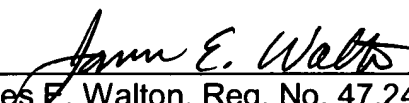
The information on form PTO/SB/08B is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office action on the merits, but before the mailing of a final action or the notice of allowance. Accordingly, the undersigned submits a payment in the amount of \$180.00 to cover the Submission of an Information Disclosure Statement Fee.

Submitted herewith is a check in the amount of \$180.00 to cover the Submission of an Information Disclosure Statement Fee. No additional fee is considered to be necessary for the filing of this Information Disclosure Statement. However, the undersigned hereby authorizes the Director to charge any fees that may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Please link this application to Customer Nos. 50779 and 38441 so that its status may be checked via the PAIR System.

Respectfully submitted,

1/9/06
Date


James E. Walton, Reg. No. 47,245
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CUSTOMER NOS. 50779 and 38441

ATTORNEY FOR APPLICANT



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449

(Use as many sheets as necessary)

Sheet 1

of	1
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Complete if Known

Application Number	10/650,537
Filing Date	28 August 2003
First Named Inventor	Gregory G. Kuelbs
Art Unit	2875
Examiner Name	Hargobind S. Hawhney
Attorney Docket Number	0664MH-40982-C

U. S. PATENT DOCUMENTS

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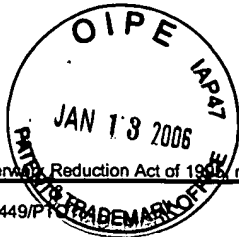
Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (07-05)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/650,537
Filing Date	28 August 2003
First Named Inventor	Gregory G. Kuelbs
Art Unit	2875
Examiner Name	Hargobind S. Hawhney
Attorney Docket Number	0664MH-40982-C

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AM	U.S. Patent Application Serial No. 11/199956 titled "Umbrella Apparatus" filed on 08-09-2005	
	AN	U.S. Patent Application Serial No. 10/829790 titled "Umbrella Apparatus" filed on 04-22-2004	
	AO	U.S. Patent Reexamination Control No. 95/000,104 for U.S. Patent No. 6612713	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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